

REMARKS

The application has been reviewed in light of the Office Action mailed July 2, 2003. The application was originally filed with Claims 1-16. Claims 1-16 were rejected. Applicants hereby cancel Claims 1-16, and enter new Claims 17-38. Claims 17, 18, and 33 are the independent claims.

Rejections under 35 U.S.C. §102

Claims 1-4 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Number 6,490,350 issued to Richard McDuff et al. ("McDuff"). To the extent that this rejection might be applied to the new claims, Applicants respectfully traverse.

Rejections under 35 U.S.C. §103

Claims 5-7, 9-10, and 12-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McDuff in view of U.S. Patent Number 5,870,558 issued to Robert A. Branton, Jr. et al. (hereinafter "Branton"). Claims 8 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McDuff in view of U.S. Patent Number 5,555,297 issued to Victor V. Ochy P. et al. (hereinafter "Ochy"). To the extent that these rejections might be applied to the new claims, Applicants respectfully traverse.

In order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining Procedure, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicants' disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

McDuffy pertains to a system for monitoring the calling activity of agents in a call center. Ochy pertains to a system for monitoring events in an automatic call distribution

(ACD) system, wherein reports are transmitted to management or supervisory personnel at remote locations. Branton pertains to a system for providing shared access to a network management system to a diverse variety of computer platforms distributed over a wide geographical area. The Office Action mentions benefits that might be obtained by combining McDuffy with Ochy or Branton. However, the Office Action does not cite any part of McDuffy, Ochy, or Branton as providing a suggestion or motivation to combine the teachings of those different references. To the contrary, the motivation to combine appears to be based on hindsight, in light of the present application, which, of course, is impermissible.

Furthermore, even if McDuffy were to be combined with Ochy or Branton, the combination would not disclose or suggest all of the features recited in the pending independent claims. For instance, Claim 18 pertains to a method that includes an operation of automatically retrieving traffic load information from an automatic call distributor (ACD) on a periodic basis, "wherein the traffic load information includes data for multiple trunk groups connected to the ACD." Claim 18 further recites operations of generating graphical representations of traffic loads for the multiple trunk groups, based on the traffic load information from the ACD, and presenting the graphical representations of the traffic loads for the multiple trunk groups in a graphical user interface. Similarly, Claim 33 pertains to a program product with computer instructions that perform operations of (a) automatically retrieving traffic load information from an ACD on a periodic basis, including data for multiple trunk groups connected to the ACD, (b) generating graphical representations of traffic loads for the multiple trunk groups, based on the traffic load information from the ACD, and (c) presenting the graphical representations of the traffic loads for the multiple trunk groups in a graphical user interface. Claim 17 pertains to a method that includes operations of (a) automatically retrieving traffic load information from an ACD, (b) automatically calculating percent occupancy rates for inbound and outbound trunk groups, based on the traffic load information from the ACD, and (c) generating graphical representations of respective traffic loads for the inbound and outbound trunk groups, based on the percent occupancy rates. Even if McDuffy were to be combined with Ochy or Branton, the combination would not disclose or suggest these features.

In addition, the dependent claims recite additional features that are not taught by the cited references. For example, Claim 19 recites operations of (a) automatically calculating

percent occupancy rates for trunk groups, based on the traffic load information from the ACD, and (b) generating the graphical representations of respective traffic loads for the multiple trunk groups, based on the percent occupancy rates. Also, Claim 31 recites the operation of presenting a graphical representation of a traffic load for an interactive voice response (IVR) unit in the graphical user interface. Additionally, Claim 32 recites the operation of presenting data pertaining to an expansion port network (EPN).

CONCLUSION

The application has been reviewed in light of the Office Action mailed July 2, 2003. Applicants appreciate the Examiner's attention to the application. Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of the claims as amended.

A petition for a one-month extension of time and a corresponding check in the amount of \$110.00 are enclosed herewith. Applicants believe no further fee is due for this response. However, if any additional fees are due, the Commissioner is hereby authorized to charge any necessary fees or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

Respectfully submitted,
BAKER BOTTS L.L.P.
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Reg. No. 44,023

Date: 10/17/03

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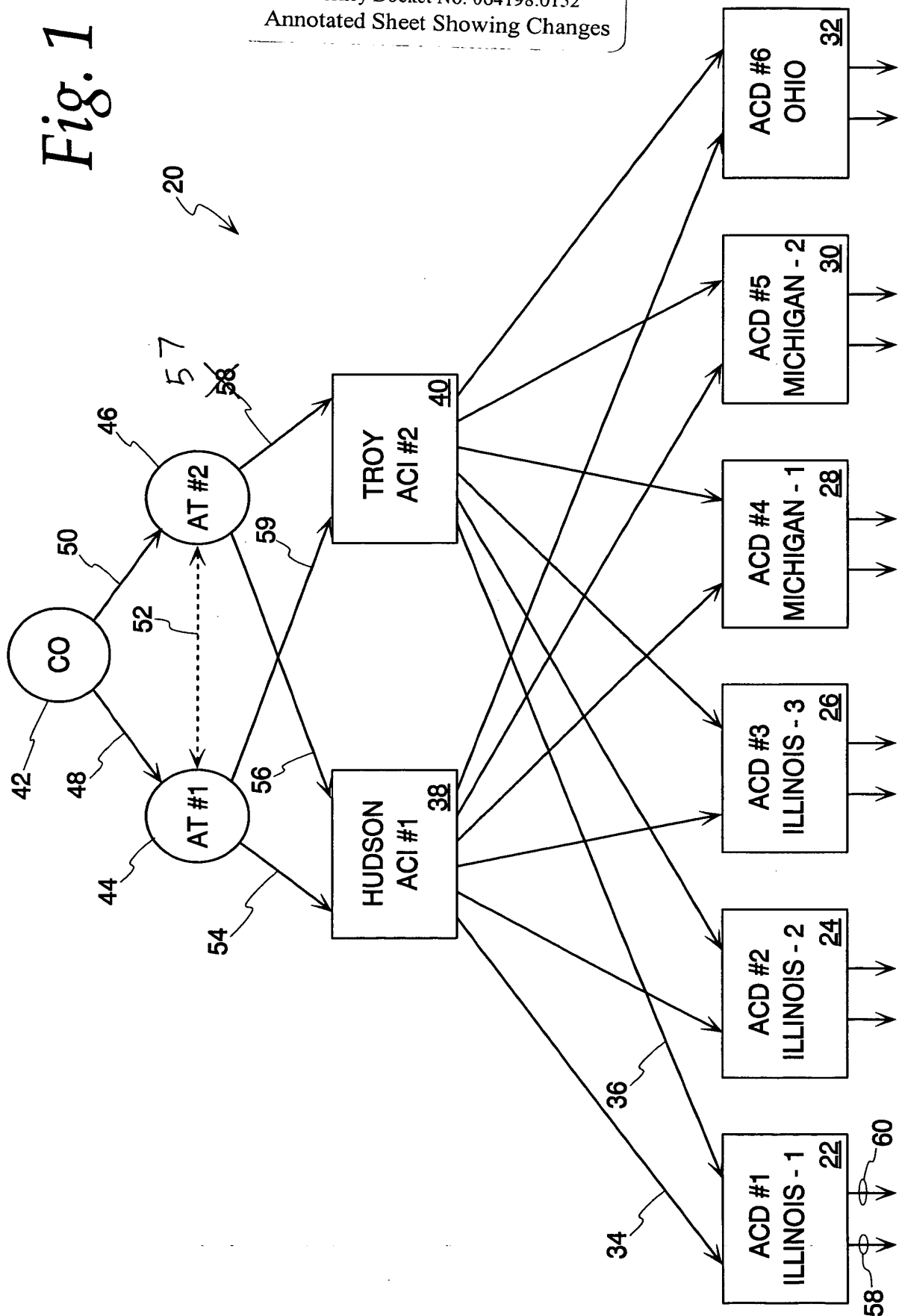
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512.322.8381 (Fax)

Attachment: Drawings – Replacement Sheets
Annotated Sheets Showing Changes

Fig. 1



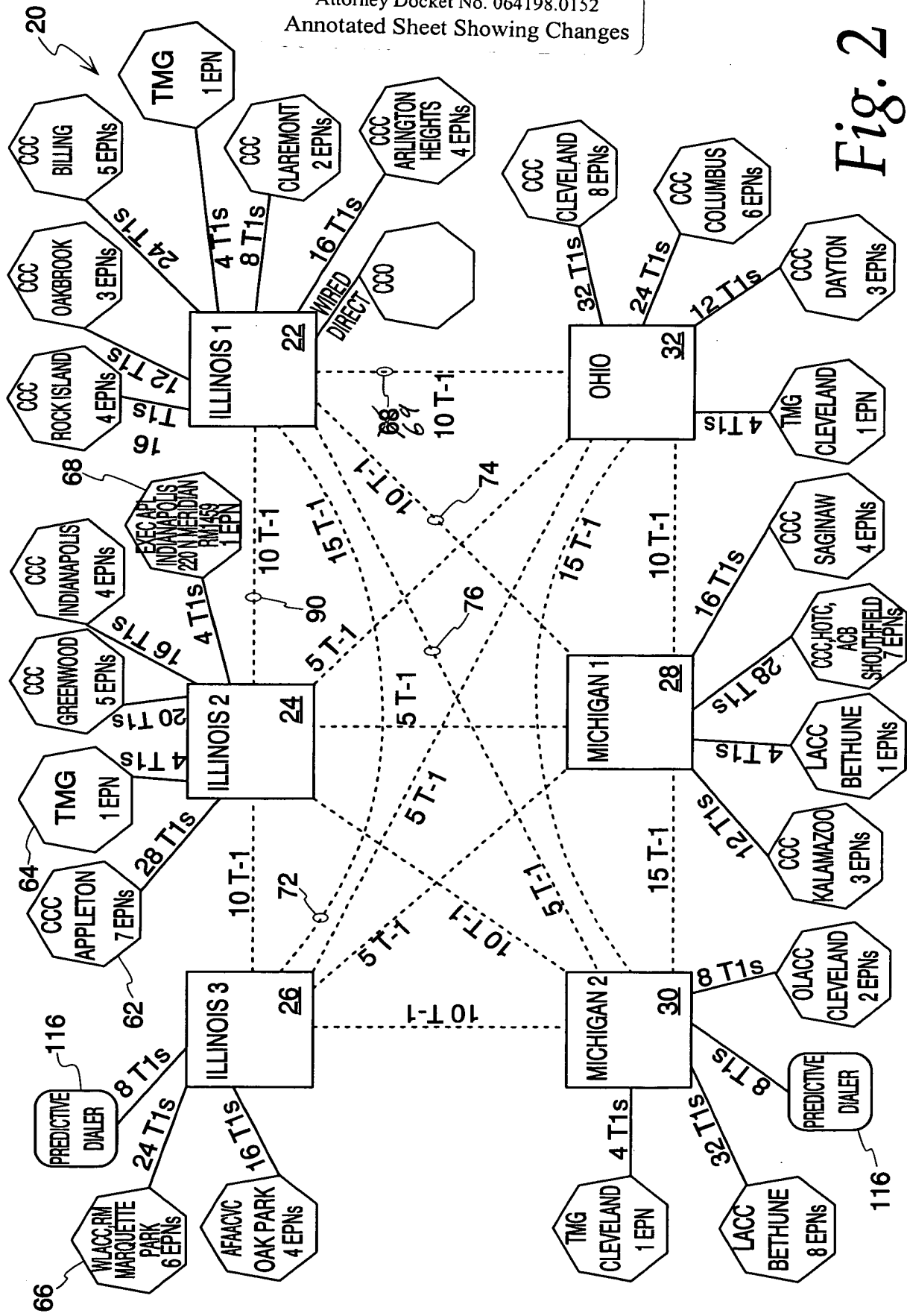


Fig. 2

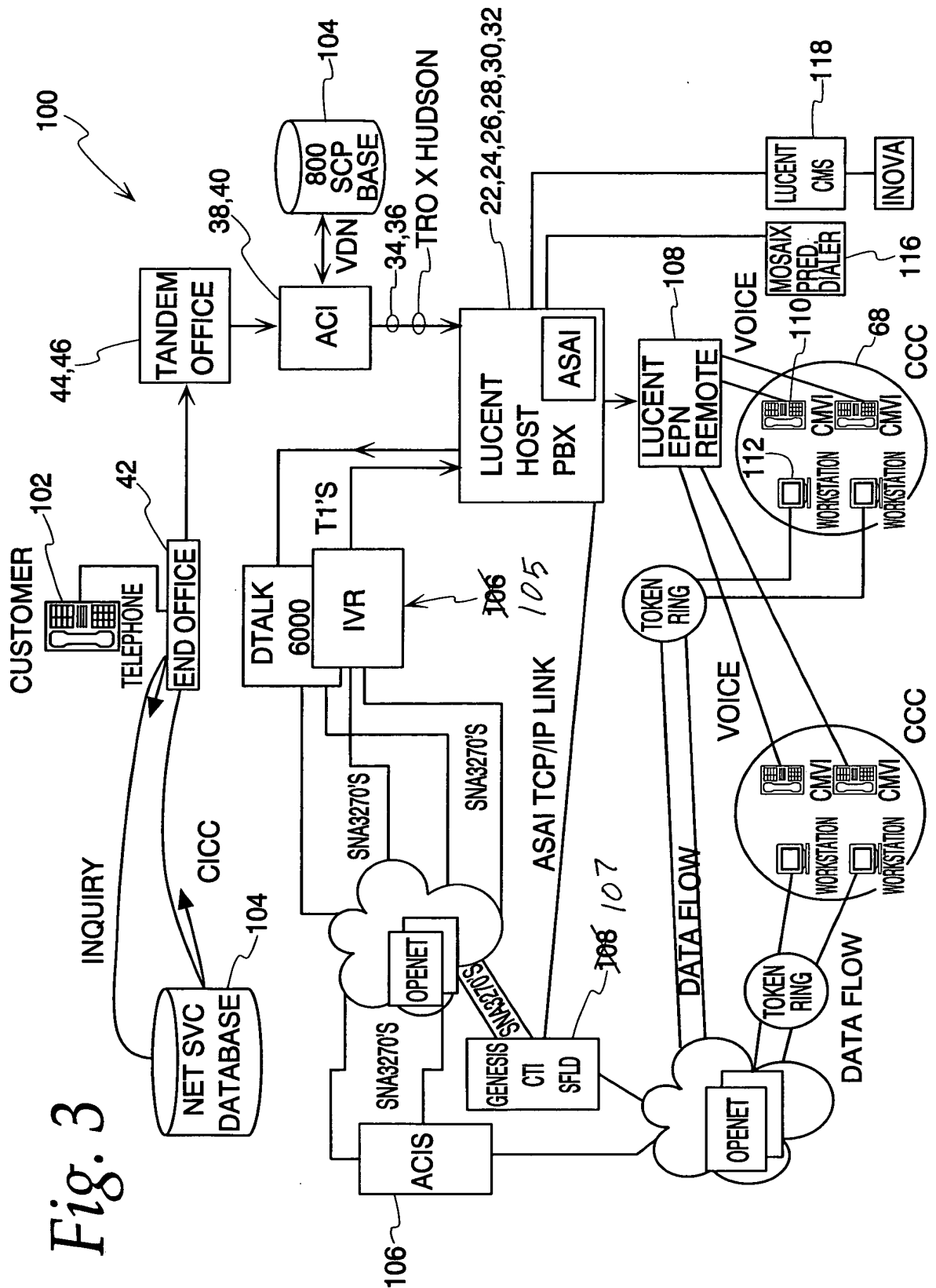


Fig. 3

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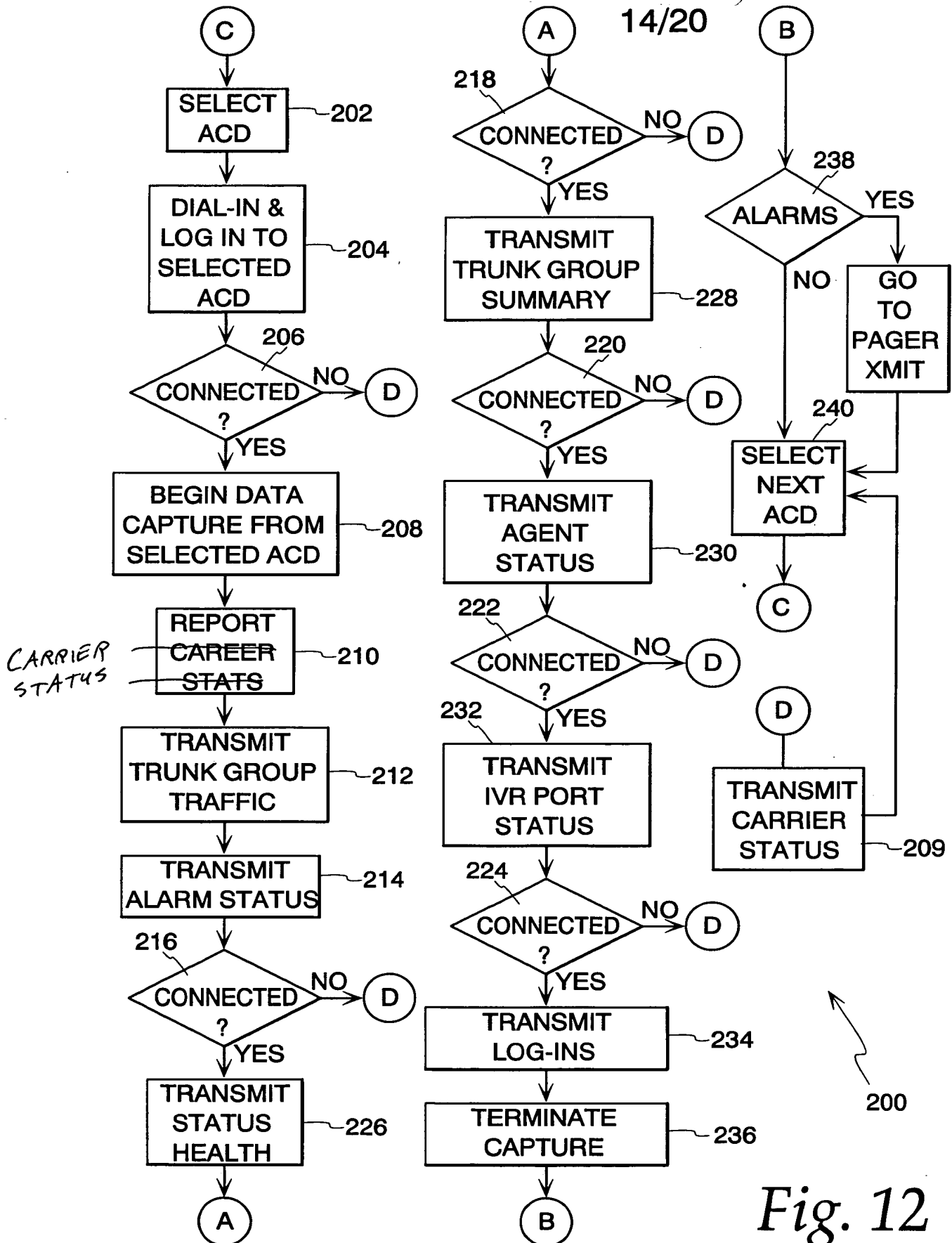


Fig. 12

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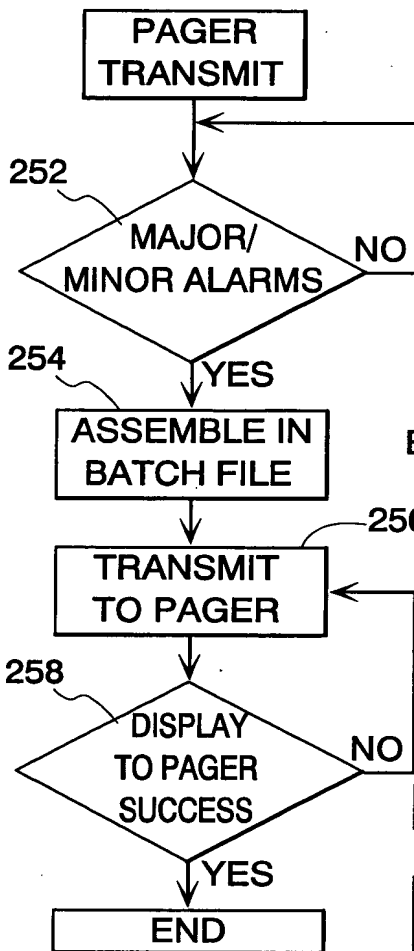


Fig. 13

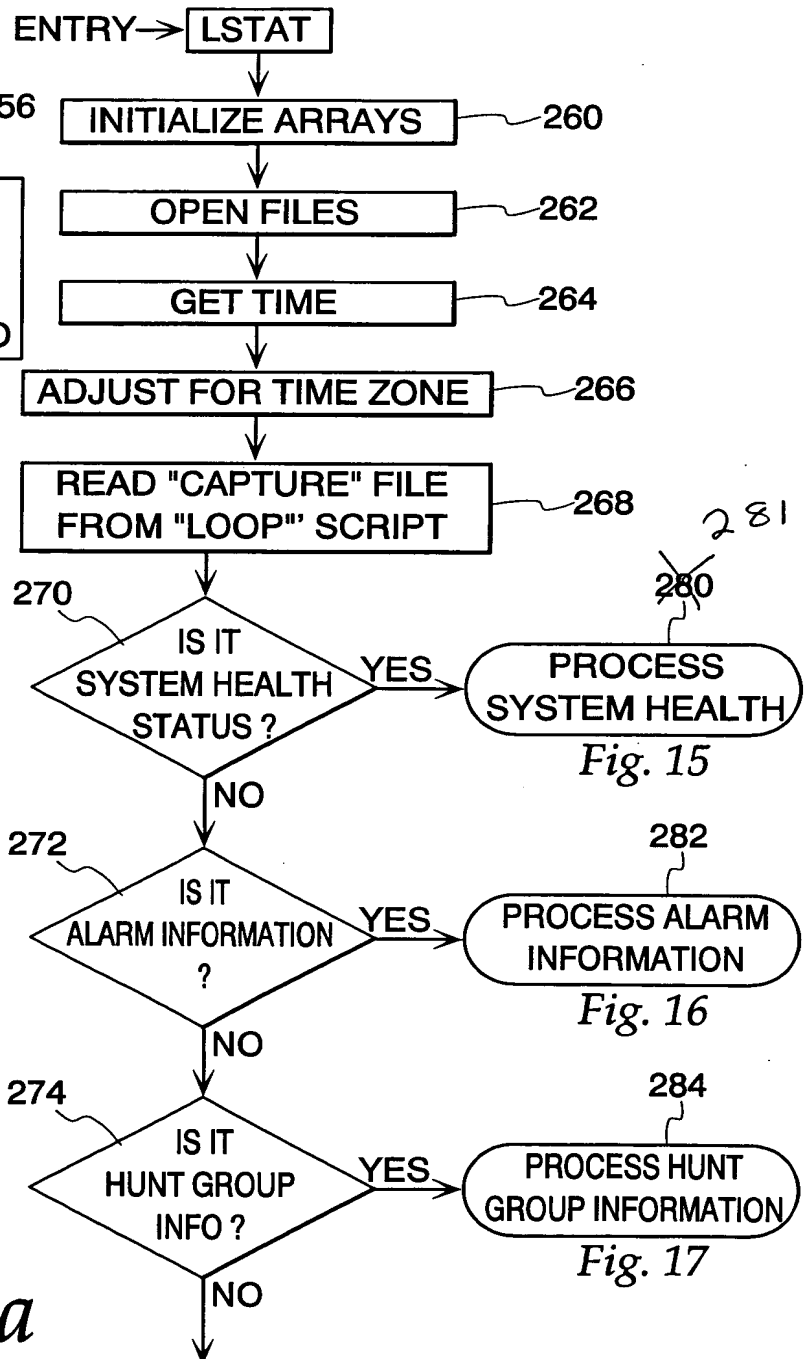


Fig. 14a

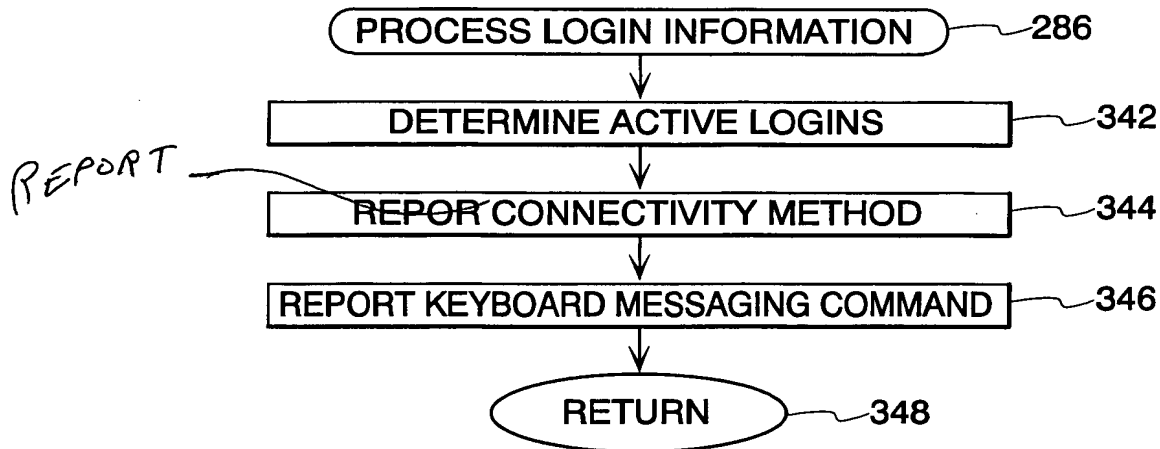


Fig. 18

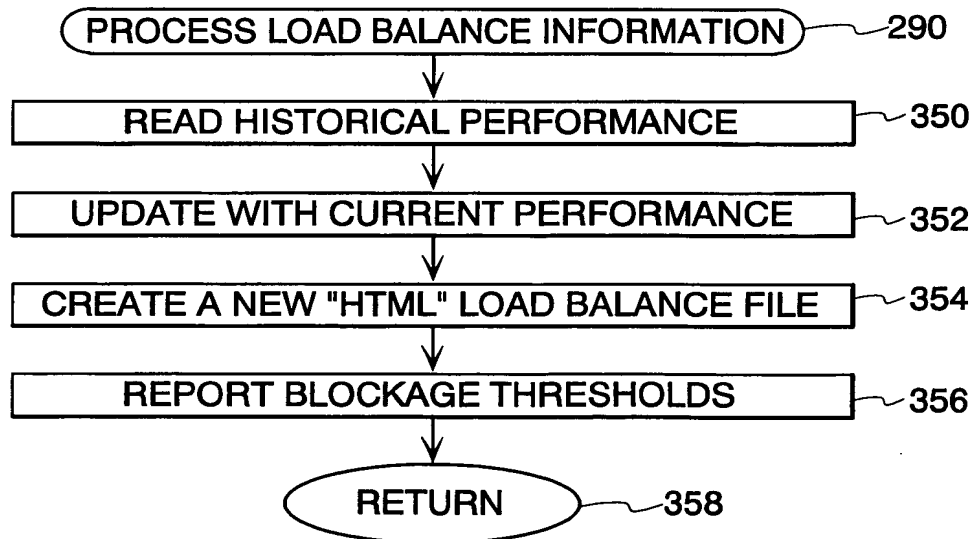


Fig. 19

- Lucent ACD Status -

(as of Thu Dec 30 09:12:56 1999 CDT)

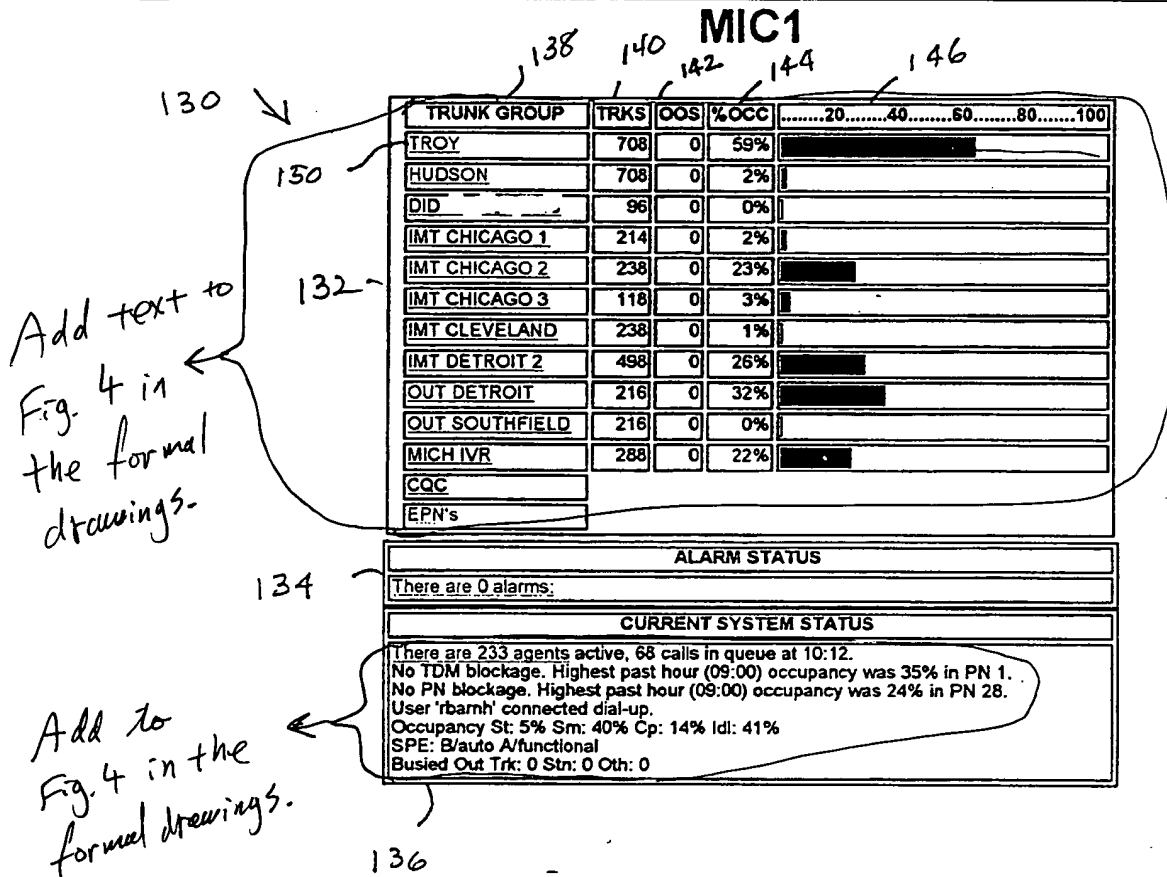


FIG 4 : Informal